IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 34364 of 2003(N)

PETITIONER:

N.T.GEORGE, S/O.N.K.THOMAS,
NEELANKAVIL, CHEMBUKAVU, THRISSUR
(SPECIAL TAHSILDAR (RTD.,) KOCHI INTERNATIONAL AIRPORT).

BY ADV. SRI.K.A.JALEEL,
SRI.T.T.MUHAMOOD.

RESPONDENTS:
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1. **THE DISTRICT COLLECTOR,**
   COLLECTORATE, THRISSUR.

2. **THE COMMISSIONER FOR LAND REVENUE,**
   THIRUVANANTHAPURAM.

3. **STATE OF KERALA, REP. BY SECRETARY TO**
   GOVERNMENT,REVENUE DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. BASANT BALAJI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.34364/2003:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PROCEEDINGS NO. SSI-37230/00 DTD. 15/11/2001 ISSUED BY R.1.

EXT.P.2: COPY OF THE PROCEEDINGS NO. LR (D) 2-2532/02 DTD. 06/07/2002 ISSUED BY R.2.

EXT.P.3: COPY OF THE G.O. (RT). 1901/03/RD DTD. 01/07/2003.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.34364 of 2003

Dated 16th March, 2007.

J U D G M E N T

Petitioner is aggrieved by the disciplinary proceedings initiated against him culminating initially on the imposition of penalty of barring of two increments with cumulative effect. The allegations pertain to the alleged irregularities committed by the petitioner in the matter of measurements of buildings for the purpose of building tax. It is seen that the matter was pursued in appeal before the Commissioner, Land Revenue, and in review before the Government. The Government in the impugned order found that the charges on the under measurement of plinth area and misclassification of the buildings are established. However, the Government took note of the fact that the report as such was not relied on by the assessing authority and had it been so, there would have been a huge loss. But that does not mean that the petitioner is not guilty of the misconduct. Yet with all these, the Government, taking note of the fact that the petitioner had already retired from service, reduced the punishment to withholding of one increment with cumulative effect. The

Government having considered the whole aspects, and having passed an order adverting to the contentions taken by the petitioner, it cannot be said that the order is in any way faulty. There is no merit in the writ petition. It is dismissed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.